REMARKS

In the Official Action of April 14, 2006, the rejection under 35 U.S.C. 112 made in the previous Action was not repeated. Instead, claims 1-18 were rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 6,821,147, Hall, *et al.* ("Hall"). Applicants appreciate the withdrawal of the §112 rejection, but respectfully traverse the new §102 rejection. In accordance with the requirements of 37 C.F.R. §§1.111(b) and 1.119, Applicants submit the following comments to distinctly and specifically point out the unsupported nature of this rejection.

As a preliminary matter, certain of the claims have been amended as set out above. In making those amendments, it was Applicants' intention to clarify the claims (for instance, claim 14 was amended to expressly set out that which was considered implicit when the claim was written but which, upon further consideration, seemed to benefit from clarification) and/or correct a typographical error (claim 10). It was not Applicants' intention to amend the claims to define over Hall, Castellani, *et al.* (also cited in the Official Action of April 14, 2006), or any other patent that is of record in the present application.

Applicants respectfully traverse the §102 rejection over Hall because that patent does not disclose all the elements of Applicants' invention as recited in independent claims 1, 12, 14, 17, and 18. To make out a proper §102 rejection, Hall must disclose every element recited in the claims. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). *See* also MPEP 2131. A review of some of the elements of claim 1 illustrates that Hall does not disclose every element recited in that claim:

> **Does Hall disclose "a thermoplastic jacket applied in an initial position over the conductor and to the end of said metal body subjected to either high pressure or high temperature, or both high temperature and high pressure, for sealing around the conductor and movable to a second, radially outwardly expanded position for sealing against the electrical apparatus when subjected to either high pressure or high temperature, or both high temperature and high pressure" as recited in the second element of claim 1?** No. Applicants cannot find any mention of the "thermoplastic jacket 19" that is alleged to be disclosed in Hall at the bottom of page 2 of the Action.[1] The only occurrence of reference numeral 19 that Applicants can find in

[1] If Applicants missed the description of such structure somewhere in the twelve columns of text and thirteen figures of Hall, it is respectfully requested that the specific column and line number of that disclosure be set out in the next Action (*see* 37 C.F.R. 1.106(b): "in rejecting claims for want of novelty . . ., the examiner must cite the best references . . . [and] when a reference is complex . . . **that particular part relied upon must be designated as nearly as practicable** [emphasis added].").

Hall is the use of that reference numeral to describe a "base 19" of second ring 33 as set out at col. 7, lines 24-25 of that patent, and a "base" certainly does not constitute a "jacket" (note also that in what is clearly a typographical error, reference numeral 19 is also used at col. 7, line 26 to refer to a "second ring," but by reference to other occurrences of the phrase "second ring" throughout the specification of Hall, it appears that the "second ring" should have been designated by reference numeral 33, not 19). Nor is a "jacket" visible in the figures of Hall. Referring to Figs. 3, 5, 12, and 13 of that reference, for instance, a coaxial cable 70 is said to be shown in longitudinal section, but Applicants are unable to ascertain from those figures whether cable 70 is comprised of a central conductor surrounded by a layer {"jacket"?) of insulation. No details as to the structure of the cable at all are shown in Figs. 3 and 5, and in Figs. 12 and 13, the lead line for reference numeral 70 leads to structure that looks as if it surrounds a conductor, but by reference to the specification, it can be seen that the structure indicated at reference numeral 60 is described in the specification of Hall as a contact, not a central conductor, and the structure indicated at reference numerals 72 and 74 is described as an "annular base component" and a "tubular spacer," repectively, neither of which functions or is even analagous to a central conductor. It therefore does not appear that the coaxial cable described in Hall includes a jacket at all, and it certainly does not appear that Hall discloses a jacket that is made of thermoplastic material as recited in claim 1.

Even if it is somehow presumed that Hall does disclose a coaxial cable that includes a thermoplastic jacket, Applicants are unable to find any disclosure in Hall that indicates that any such thermoplastic jacket is "applied in an initial position over the conductor" and "movable to a second, radially outwardly expanded position" when subjected to temperature or pressure as recited in this second element of claim 1. Similarly, Hall does not disclose that any such thermoplastic jacket seals "against the electrical apparatus" to which the claimed connector is mounted as recited in this second element of claim 1. Please note that claim 1 affirmatively recites structure in reciting that (a) the jacket is movable from first to second positions and (b) the thermoplastic jacket seals against the electrical apparatus when moved to the second position such that Applicants are not just arguing function in pointing out this distinction between Hall and the language of claim 1 In addition to the structural distinction between the claimed connection and the connection disclosed in Hall, however, as stated in *Pac-Tec, Inc. v.*

Amerace Corp. (903 F.2d 796, 14 U.S.P.Q.2d 1871, 1876 (Fed. Cir. 1990), *cert denied,* 502 U.S. 808 (1990)), in determining whether a claim is anticipated, it is inappropriate to disregard functional language. In light of both a structural and a functional difference, it is clear that Hall does not disclose this second element of the claim and that Hall therefore does not anticipate claim 1.

Before leaving this issue of whether Hall discloses a thermoplastic jacket movable from first to second positions, Applicants do note that Hall discloses structure that is described in that patent as being comprised of thermoplastic material. Specifically, the washer 30 disclosed in that patent is described at col. 4, lines 47 *et seq.* as being comprised of a material such as ceramics or plastics, and the plastics that are listed as being suitable for that purpose include several thermoplastics. However, a "washer" is not a "jacket" as claimed. Similarly, at col. 7, lines 32 *et seq.* and col. 8, lines 16 *et seq.*, Hall discloses a seal stack that includes a two-part flexible rigid component 13, 33 in which one rigid ring is comprised of a thermoplastic material that (as set out in col. 8) expands "radially outwardly to engage the surface of the conductive tube of coaxial cable 70 and inwardly to engage the surface of contact 60 thus forming a seal." However, neither a "seal stack" nor a rigid ring is a jacket as claimed, nor does the radially outward expansion of this component of the seal stack described in Hall result in a seal against the electrical apparatus to which the connector is mounted as recited in claim 1. To the contrary, Hall specifically states that the seal is between the surface of the conductive tube of coaxial cable 70 and the surface of contact 60 such that the structure recited in claim 1 is not met by this disclosure of Hall. Reconsideration and withdrawal of the §102 rejection of claim 1 is respectfully requested in light of this plain difference between Hall and the structure recited in claim 1.

Does Hall disclose "an insulative material interposed between the metal body and the conductor extending therethrough for sealing around the conductor" as recited in claim 1? No. Although the Action alleges (at the bottom of page 2) that Hall discloses "a plurality of insulating materials 13 interposed between the metal body and the conductor," the structure shown at reference numeral 13 in Hall is the "rigid ring" that is comprised of thermoplastic material that is described as sealing (by the express wording set out in Hall as quoted above) against the surface of the conductive tube of the coaxial cable 70 and the surface of contact 60, not a conductor that extends

through a metal jacket as recited in claim 1. The Action suggests that the insulating materials 13 could be "brazed moralized [sic] ceramic material" at the top of page 3, but no such structure is called out in claim 1, and in any event, Hall describes the ring 13 (and the second ring 33) as being comprised of a thermoplastic material (see col. 7, lines 32-43), not ceramics. The only mention of ceramic materials that Applicants can find in Hall is in the description of the washer 30 (**not** one of the components of seal stack 55) set out at col. 4, lines 47-51 of that reference, and the washer 30 disclosed in Hall certainly does not constitute an insulative material that is interposed between a metal body and a conductor as recited in the third element of claim 1.

Because of these differences between the structure recited in claim 1 and the structure disclosed in Hall, the §102 rejection of claim 1 is improper and should be withdrawn:

> "[f]or a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference [and] [t]hese elements must be arranged as in the claim under review . . .."

In re Bond, supra. As shown in the preceding paragraphs, Hall does not disclose several of the claimed elements. To the extent that Hall discloses structure that is alleged to be analogous to the claimed structure, that allegedly analogous structure is not "arranged as in the claim under review" and therefore does not anticipate claim 1.

By reference to the structure and steps recited in independent claims claims 12, 14, 17, and 18 of the present application, it can be seen that Hall does not anticipate those claims for the same reasons listed above with respect to claim 1, and the differences listed above with respect to claim 1 are repeated with respect to each of independent claims 12, 14, 17, and 18 as if fully set forth in this pargraph. To further summarize these differences, Hall does not disclose:

"an insulative material sealing against said conductor" (claim 12);

"a thermoplastic jacket sealing over the portion of said conductor extending out of said metal body" (claim 12);

"a thermoplastic jacket . . . radially outwardly expandable into sealing engagement with the bulkhead of the electrical apparatus" to which the claimed connector is engaged (claim 12);

"an O-ring . . . for sealing against the bulkhead of the electrical apparatus" (claim 12);

a "metal body having a surface extending outwardly therefrom toward a surface of the electrical apparatus" to which the connector is engaged (claim 14);

"cold flow . . . [of the thermoplastic material] in the direction toward the outwardly extending surface of the metal body" (claim 14);

"expanding the thermoplastic material upon contact with the outwardly extending surface of the metal body" (claim 14);

"sealing engagement . . . [of the thermoplastic material] with the surface of the electrical apparatus" (claim 14);

"a thermoplastic jacket applied over the conductor" (claims 17 and 18);

a thermoplastic jacket that is "radially outwardly expandable for sealing against the electrical apparatus" to which the connector is engaged (claims 17 and 18); or

"an insulative material interposed between the metal body and the conductor" (claims 17 and 18).

In light of these many differences between the structure/steps recited in independent claims 12, 14, 17, and 18 and Hall (and there are other differences which Applicants reserve the right to cite if the need arises), it is respectfully submitted that the §102 rejection of every one of these claims is inappropriate and should be withdrawn.

Turning now to the claims that are dependent upon independent claims 1, 12, and 14, each of dependent claims 1-11, 13, and 15-16 is allowable because they depend upon claims that are not anticipated by Hall. In addition, each dependent claim recites structure and/or steps that is/are not disclosed by Hall such that they are allowable on their own merits. To briefly list some of the differences between these dependent claims and Hall, it can be seen that:

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose that the insulative material is comprised of glass or ceramic as recited in claim 2;

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose that the insulative material is comprised of glass ceramic or ceramic as recited in claim 3;

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose that the insulative material is comprised of a brazed metallized ceramic as recited in claim 4;

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose a second insulative material as recited in claim 5;

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose one insulative material that is comprised of glass and a second insulative material that is comprised of ceramic as recited in claim 6;

because Hall does not disclose an insulative material interposed between a metal body and a conductor, Hall cannot disclose one insulative material that is comprised of glass and a second insulative material that is comprised of thermoplastic or other flexible insulating material as recited in claim 7;

because Hall does not disclose a thermoplastic jacket that is applied over a metal body, Hall cannot disclose the manner in which the jacket is applied as recited in claim 8;

because Hall does not disclose a thermoplastic jacket that is applied over a metal body, Hall cannot disclose a jacket that is comprised of an aromatic polyether ketone as recited in claim 9;

because Hall does not disclose a thermoplastic jacket that is applied over a metal body, Hall cannot disclose a jacket that is comprised of any of the materials listed in claim 10;

because Hall does not disclose a thermoplastic jacket that is applied over a metal body, Hall cannot disclose a jacket that is characterized by the properties listed in claim 11;

because Hall does not disclose a thermoplastic jacket sealing over the portion of a conductor extending out of a metal body, Hall cannot disclose a jacket that is characterized by the property listed in claim 13;

Hall does not disclose a groove in a metal body, or a sealing member positioned in a groove in a metal body as recited in claim 15; and

Hall does not disclose a groove in a thermoplastic jacket, or a sealing member positioned in a groove in a thermoplastic jacket as recited in claim 16.

In light of these differences between dependent claims 2-11, 13, and 15-16 and Hall (and there are other differences which Applicants reserve the right to cite if the need arises), it is respectfully submitted that the rejection of these dependent claims is improper and should be reconsidered and withdrawn.

Entry of the above amendments to the claims, consideration of the remarks set out herein, allowance of the claims, and passage of the application to issuance are all respectfully

requested. In the unforeseen event that there are questions and/or issues yet to be answered in this application, it is respectfully requested that Applicants' Attorney be contacted at the address and phone number set out below.

Respectfully submitted,

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